United States District Court
Southern District of Texas

ENTERED

April 15, 2020 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

MADELINE STEIGERWALD,	§	
INDIVIDUALLY AND AS NEXT	§	
FRIEND OF M.S.,	§	
	§	
Plaintiffs.	§	
	§	
VS.	§	CIVIL ACTION NO. 3:19–CV–00394
	§	
WAL-MART STORES TEXAS, LLC,	§	
	§	
Defendant.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On February 24, 2020, this case was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 26. On March 31, 2020, Judge Edison filed a Memorandum and Recommendation (Dkt. 39) recommending that Defendant's Rule 12(b)(6) Motion to Dismiss (Dkt. 10) be **GRANTED** and Plaintiff's Alternative Motion for Leave to Amend Pleading (Dkt. 31) be **DENIED**.

No objections to the Memorandum and Recommendation have been filed. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 39) is **APPROVED and ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Alternative Motion for Leave to Amend Pleading (Dkt. 31) is **DENIED**; and
- (3) Defendant's Rule 12(b)(6) Motion to Dismiss (Dkt. 10) is **GRANTED**.

It is so **ORDERED**.

SIGNED on Galveston Island this 15th day of April, 2020.

JEFFREY VINCENT BROWN UNITED STATES DISTRICT JUDGE